

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Agenda January 14, 2014 7:00 P.M.

Call to Order - **Council President Garcia-Martinez called the meeting to order at 7:19 p.m.**

Roll Call - **All councilmembers present.**

- **Also present were:**
 - **Carlos Hernandez, Mayor**
 - **William Grodnick, City Attorney**
 - **Marbelys Fatjo, Acting City Clerk**

Invocation given by Acting City Clerk, Marbelys Fatjo

Pledge of Allegiance led by Councilmember Katharine E. Cue-Fuente

Meeting Guidelines

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the Acting City Clerk, and translated to Spanish by Maricarmen López, Administrative Aide in the Office of the City Clerk.

Presentations – Council President Garcia-Martinez announced that it is Council Member Paul Hernandez’s birthday and led everyone in attendance in wishing Mr. Hernandez a happy birthday.

1. Announcement of Amendments/Corrections to the Agenda – **The following amendments/corrections were announced by the Acting City Clerk:**

Items EE and 5a were added to the Consent Agenda.

2. Consent Agenda –

REPORT: Council President Garcia Martinez removed item DD from the Consent Agenda for separate discussion.

REPORT: Mayor Hernandez removed items Y, Z and AA from the Consent Agenda for separate discussion.

REPORT: Council Vice President Gonzalez removed item R from the Consent Agenda for separate discussion.

REPORT: Motion to Approve the Consent Agenda made by Councilwoman Cue-Fuente and seconded by Councilwoman Casals-Muñoz. MOTION PASSED (7-0).

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on December 10, 2013. (OFFICE OF THE CITY CLERK) **APPROVED (7-0)**
- B. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, Full Size 4-Door Administrative Vehicles, Specification #8, 2014 Chevrolet Impala Limited, and issue a purchase order to Garber Chevrolet-Buick-Pontiac-GMC Truck, Inc., for the purchase of one (1) 2014 Chevrolet Impala Limited (1WF19), for a total cumulative amount not to exceed \$18,106. (BUSINESS TAX DIVISION) **APPROVED (7-0)**
- C. Request permission to issue a new purchase order to Thevenin Enterprises, Inc., for additional electrical and fire alarm work at the 36-Unit Elderly Housing Project, since it is advantageous to the City in that the fire department has requested additional fire alarm system modules which were not part of the original scope of work, in the amount of \$2,850. A purchase order was previously issued to this vendor in the 2012-2013 fiscal year in the amount of \$18,193.16 and in the 2011-2012 fiscal year in the amount of \$431,000 pursuant to Hialeah Bid # 2011/12-3230-00-055. Approval of a new purchase order for fiscal year 2013-2014 would thereby increase the total amount of the expenditure to \$452,043.16. (CONSTRUCTION AND MAINTENANCE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (7-0)**
- D. Request permission to issue a new purchase order to FWC Metal Works LLC, for additional railings and picket fence, for the 36-Unit Elderly Housing Project, due to additional services which are necessary, in the amount of \$2,500. A purchase order was

previously issued to this vendor in the prior fiscal year in the amount of \$74,400 pursuant to Hialeah Bid # 2012/13-3230-00-035. Approval of a new purchase order for fiscal year 2013-2014 would thereby increase the total amount of the expenditure to \$76,900. (CONSTRUCTION AND MAINTENANCE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (7-0)**

- E. Request permission to increase purchase order # 2014-895, since it is advantageous to the City, issued to Federal Security of America, L.L.C., for security guard services, for the 36-Unit Elderly Housing Project, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$20,000. A purchase order was previously issued to this vendor in the prior fiscal year in the amount of \$40,000. Approval of an increase to purchase order # 2014-895 would thereby increase the total amount of this expenditure to \$60,000. (CONSTRUCTION AND MAINTENANCE DEPT. & GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (7-0)**
- F. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, Mid Size 4-Door Utility Vehicles – 4X2, Specification #22, 2014 Ford Explorer (Florida Sheriffs Association Bid #13-21-0904), and issue a purchase order to Don Reid Ford, Inc., for the purchase of two (2) 2014 Ford Explorer Utility Vehicles at a cost of \$23,450 each, for a total cumulative amount not to exceed \$46,900. (FIRE DEPT.) **APPROVED (7-0)**
- G. Request permission to utilize the pricing of the Broward County Sheriff's Office Agreement with Motorola Solutions, Inc. (Contract #121746), and issue a purchase order to Motorola Solutions, Inc., for the purchase of four (4) trunk mounted vehicle radios for the Police Department with funding from UASI 2011-71, for a total cumulative amount not to exceed \$15,780. (FIRE DEPT.) **APPROVED (7-0)**
- H. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, Utility Cargo Van, Specification #33, 2014 Ford E-250 Cargo Van (Florida Sheriffs Association Bid #13-21-0904), and issue a purchase order to Duval Ford, LLC, for the purchase of one (1) 2014 Ford E-250 Cargo Van, for a total cumulative amount not to exceed \$17,026. (FIRE DEPT.) **APPROVED (7-0)**
- I. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, 15 Passenger Van, Specification #32, 2014 Ford E-350 Club Wagon Extended (Florida Sheriffs Association Bid #13-21-0904), and issue a purchase order to Hub City Ford-Mercury, Inc., for the purchase of one (1) 2014 Ford E-350 Club Wagon Van, for a total cumulative amount not to exceed \$23,899. (FIRE DEPT.) **APPROVED (7-0)**
- J. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into the Interlocal Agreement for joint completion of an Urban Areas Security Initiative Program with the City of Miami ending on April 30, 2014, which provides the funding for the 2012 grant year. (FIRE DEPT.) **APPROVED (7-0)**
RESOLUTION NO. 2014-01

- K.** Request permission to increase purchase order # 2014-161, since it is advantageous to the City, issued to CSPI, Inc., formally known as Cummins Southeastern Power, Inc., to purchase Cummins equipment parts and accessories for City trucks, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- L.** Request permission to increase purchase order # 2014-183, since it is advantageous to the City, issued to Clarke Waste Systems, Inc., to purchase garbage equipment parts and accessories, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- M.** Request permission to increase purchase order #2014-154, since it is advantageous to the City, issued to Florida Powertrain & Hydraulics, Inc., for hydraulic repairs and parts, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- N.** Proposed resolution authorizing the Mayor and/or his designee on behalf of the City of Hialeah to enter into an agreement with Citrus Health Network, Inc., a private not-for-profit corporation, in the amount of \$146,397.00 for the provision of services to the Homeless Under the Emergency Solutions Grants Program for the period of October 1, 2013 through September 30, 2015. (GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (7-0) RESOLUTION NO. 2014-02**
- O.** Proposed resolution authorizing the Mayor and/or his designee on behalf of the City of Hialeah to increase the amount of the agreement with Citrus Health Network, Inc., a private not-for-profit corporation, by the amount of \$103,168.09 for the continuation of services to the Homeless Under Emergency Solutions Grants Program for the period ending on March 31, 2014. (GRANTS AND HUMAN SERVICES DEPT.) **APPROVED (7-0) RESOLUTION 2014-03**
- P.** Request permission to increase purchase order # 2014-51, since it is advantageous to the City, issued to Law Enforcement Psychological and Counseling Associates, Inc., to continue providing psychological screening services for the hiring of certified police officers, firefighters, and the Employee Assistance Program (EAP), by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (HUMAN RESOURCES DEPT.) **APPROVED (7-0)**
- Q.** Request permission to issue a purchase order to Infor Public Sector, Inc., formerly known as EnRoute Emergency Systems, sole source vendor, for the maintenance and support of the Police and Fire Computer Aided Dispatch and Records Management System for fiscal year 2013-2014, in a total amount not to exceed \$242,253.51. (INFORMATION TECHNOLOGY) **APPROVED (7-0)**
- R.** Request permission to issue a purchase order to the law firm of Hawkins, Delafield & Wood, LLP, for anticipated costs to be paid in connection with legal representation for the design/construction/operation of the Reverse Osmosis Water Treatment Plant, including, but not limited to, post-contract issues that have arisen during the completion

of the construction phase of the Reverse Osmosis Water Treatment Plant, for a total cumulative amount not to exceed \$75,000. (LAW DEPT.) **APPROVED (7-0)**

REPORT: Council Vice President Gonzalez asked Mr. Grodnick to explain the proposed expenditure.

REPORT: Mr. Grodnick provided an explanation regarding the proposed expenditure.

REPORT: Motion to Approve made by Council Vice President Gonzalez, and seconded by Councilman Hernandez. MOTION PASSED (7-0)

- S. Request from the Hialeah Education and Community Services Department for a street closure permit for the City's Jose Marti Commemorative Parade on Sunday, January 26, 2014, between the hours of 9:00 a.m. and 11 a.m., at West 5th Avenue from West 27th Street to West 33rd Street (staging area); West 29th Street from the west perimeter road adjacent to West 4th Avenue to West 9th Avenue (staging area and parade route); and West 9th Avenue from West 29th Street to West 27th Street (conclusion of the parade route). (EDUCATION AND COMMUNITY SERVICES DEPT.) **APPROVED (7-0)**
- T. Request permission to increase purchase order # 2014-884, since it is advantageous to the City, issued to Lou's Police Distributors, Inc., for the replacement of uniforms damaged during police duties, by an additional amount of \$14,040.67, for a new total cumulative amount of \$32,651.54. (POLICE DEPT.) **APPROVED (7-0)**
- U. Request permission to utilize a competitively bid governmental contract (GS-35F-0574X) with General Sales Administration T/A Major Police Supply, for the construction, equipment and installation of license plate readers at six intersections, for a total cumulative amount not to exceed \$260,519.65. General Sales Administration T/A Major Police Supply is the sole source vendor of the six license plate readers, power supplies and installation equipment that will be able to integrate with the department's current license plate reader system and software. (POLICE DEPT.) **APPROVED (7-0)**
- V. Proposed resolution approving the expenditure totaling an amount not to exceed \$3,000.00 from the Law Enforcement Trust Fund – *State*, to sponsor the Hialeah Police Department in the LEO Foundation Awards Dinner, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2014-04**
- W. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of North Miami as a participating municipal police department to provide for requesting and rendering assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 30, 2019. (POLICE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2014-05**
- X. Request permission to issue a purchase order to the Florida Department of Environmental Protection, for the payment of the 2014 Annual Regulatory Program and Surveillance Fee for the City's Separate Storm Sewer System permit, for a total cumulative amount not to exceed \$18,760. (STREETS DEPT.) **APPROVED (7-0)**

- Y. Proposed resolution repealing and rescinding Hialeah, Fla., resolution 05-106 (Sept. 16, 2005). **APPROVED (7-0) RESOLUTION NO. 2014-06**

REPORT: Mayor Hernandez explained his reasons for proposing this resolution. Mayor Hernandez made the same statements in Spanish for Spanish speakers in attendance.

REPORT: Council Vice President Gonzalez expressed his reasons for supporting this proposed resolution. Council Vice President Gonzalez made the same statements in Spanish for Spanish speakers in attendance.

REPORT: Council President Garcia-Martinez expressed her reasons for supporting this proposed resolution. Council President Garcia-Martinez made the same statements in Spanish for Spanish speakers in attendance.

REPORT: Councilman Hernandez expressed his concern with the destruction of City plaques.

Motion to Approve Item Y made by Councilwoman Cue-Fuente, and seconded by Councilman Caragol. MOTION PASSED (7-0).

- Z. Proposed resolution repealing and rescinding Hialeah, Fla., resolution 05-141 (Dec. 14, 2005). **APPROVED (7-0) RESOLUTION NO. 2014-07**

REPORT: Mayor Hernandez explained his reasons for proposing this resolution. Mayor Hernandez made the same statements in Spanish for Spanish speakers in attendance.

REPORT: Councilwoman Casals-Muñoz expressed her reasons for supporting this proposed resolution, and stated that she would like to have the council consider the name City of Hialeah City Hall. Councilwoman Casals-Muñoz made the same statements in Spanish for Spanish speakers in attendance.

REPORT: Councilman Hernandez suggested to name the building “Hialeah City Hall”.

Motion to Approve Item Z made by Councilwoman Casals-Muñoz, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0).

- AA. Proposed resolution repealing and rescinding Hialeah, Fla., resolution 97-21 (Mar. 24, 1997). **APPROVED (7-0) RESOLUTION NO. 2014-08**

REPORT: Mayor Hernandez explained his reasons for proposing this resolution. Mayor Hernandez made the same statements in Spanish for Spanish speakers in attendance.

Motion to Approve Item AA made by Council Vice President Gonzalez, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0).

REPORT: Council President Garcia-Martinez opened the floor to several speakers who wanted to address the Mayor and Council.

REPORT: Jose Azze, 798 SE Park Drive, asked a question and expressed his concerns regarding item AA of the Consent Agenda.

REPORT: Roxana Green, 7835 West 18 Lane, addressed the Mayor and Council regarding the naming and unaming of City property.

REPORT: Irene Secada, 655 East 46 Street, expressed her concerns regarding the approval of items Y, Z and AA.

REPORT: Julio Rodriguez, 754 West 33 Street, expressed his concerns regarding the approval of item AA.

REPORT: Modesto Perez, 65 Olive Drive, expressed his support for the approval of the resolution(s). MariCarmen Lopez translated Mr. Perez's comments from Spanish to English.

- BB.** Proposed resolution authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into an Interlocal Agreement with Hialeah Housing Authority to utilize the services of a Hialeah Police Detective to perform investigative and related services in connection with the responsibilities of the Fraud Department of the Hialeah Housing Authority for a term of one year commencing on or about January 15, 2014 and ending on or about January 14, 2015 for an annual sum of \$115,000, payable to the City in equal monthly installments, in substantial form as attached hereto and made a part hereof as Exhibit "1". (ADMINISTRATION) **APPROVED (7-0) RESOLUTION NO. 2014-09**

- CC.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to renew an Interlocal Agreement with the Hialeah Housing Authority for one year, commencing on March 1, 2014 through February 28, 2015, to repair motor vehicles for the Hialeah Housing Authority at an hourly rate of \$45.00 and to allow Hialeah Housing Authority employees to fuel HHA-owned motor vehicles at Fire Station No. 7 and/or the main City pumps at the same rate chargeable to the City of Hialeah, with an option to renew for one year. (ADMINISTRATION) **APPROVED (7-0) RESOLUTION NO. 2014-10**

- DD.** **Request to remove this Planning and Zoning item from the Council Agenda of January 28, 2014 since the applicant's representative, Felix Lasarte, has withdrawn the Special Use Permit Application.**

First reading of proposed ordinance granting a Special Use Permit (SUP) to extend the Neighborhood Business Overlay District Regulations on property located at an activity node area having a land use classification of commercial pursuant to Hialeah Code § 98-1630.8, and granting a Variance Permit to allow a building height of 105 feet and 10 stories, where a maximum 95 feet and 9 stories are allowed, to allow 802 parking spaces, where at least 1,148 parking spaces are required, to allow 113 residential units with less than 850 square feet, where no more than 35 units with a minimum of 600 square feet are allowed, and allow an interior setback of 10 feet, where a minimum of 15 feet is required, contra to Hialeah Code §§ 98-1630.2, 98-1630.3(b), (e)(2), and 98-2189(16). **Property**

located at 401 and 435 Hialeah Drive, Hialeah, Florida. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Shoma Retail, LLC. c/o Felix M. Lasarte, Esq.*) **COUNCIL APPROVED (7-0) TO REMOVE THIS ITEM FROM THE COUNCIL AGENDA OF JANUARY 28, 2014.**

REPORT: Council President Garcia-Martinez advised those in attendance that the applicant has withdrawn the application and as a result, the item will not be heard by the Council on January 28, 2014.

REPORT: Mr. Grodnick explained that when an application is withdrawn, and if it is resubmitted, the application would need to once again go before the Planning and Zoning Board, and notice would once again have to be provided to the neighbors within the 500 foot radius.

REPORT: Frank de la Paz, 10655 SW 113 Place, asked Mr. Grodnick a question regarding this item, and Mr. Grodnick addressed his question.

Motion to Approve the removal of Item DD from the Council Agenda of January 28, 2014 made by Councilwoman Cue-Fuente, and seconded by Councilmember Hernandez. Motion passed (7-0) Item withdrawn.

EE. Request permission to waive competitive bids, since it is advantageous to the City, and award the roadway reconstruction of West 76 Street, from West 28 Avenue to West 31 Avenue, to Williams Paving Co., Inc., who has agreed to extend the lowest unit prices used on the bid awarded to Miami Dade County (Project # 20100394) for roadway widening along SW 184th Street from SW 137 Avenue to SW 147 Avenue, for a total cumulative amount not to exceed \$1,552,004.83. (STREETS DEPT.) **APPROVED (7-0)**

3. Second reading and public hearing of proposed ordinance authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Lease Agreement between the City, as Landlord, and Hialeah-Dade Development, Inc., a Florida not-for-profit corporation, as Tenant, for use of first floor office space comprising of 957 square feet located at City Hall, 501 Palm Avenue, Hialeah, Florida, for a period of two years, commencing on October 1, 2013 and ending on September 30, 2014, for an annual amount of \$22,968.00, payable in equal monthly rental payments, in the form as attached hereto as Exhibit "1"; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (PURCHASING DIV.) **APPROVED (7-0) ORDINANCE NO. 2014-01**

Motion to Approve Item 3 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. MOTION PASSED (7-0).

4. First reading of proposed ordinance amending Chapter 70 entitled "Retirement and Pensions", Article IV. Employees General Retirement System, of the Code of Ordinances, and in particular, to revise language in order to comply with changes in Federal Law to become a Qualified Retirement Plan pursuant to the Internal Revenue Code and to add an additional section, Hialeah Code § 70-259.1 entitled "Federal Tax Provisions" in furtherance thereof; repealing all ordinances or parts of ordinances in

conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0). The next hearing is scheduled for January 28, 2014.**

REPORT: Mr. Grodnick explained the reason for the proposed ordinance.

Motion to Approve Item 4 made by Councilman Caragol, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0) .

5. Board Appointments –

- a. Proposed resolution reappointing Moses Aluicio to the Board of Commissioners of Hialeah Housing Authority of the City of Hialeah, Florida for a four (4)-year term ending on February 14, 2018. (MAYOR HERNANDEZ) **APPROVED (7-0) RESOLUTION NO. 2014-11**

Motion to Approve Item 5.a. made by Councilwoman Casáls-Muñoz, and seconded by Councilman Hernandez. MOTION PASSED (7-0).

REPORT: Moses Aluicio, 4790 West 9 Court, thanked everyone and stated that he is excited to continue serving on the board.

6. Unfinished Business – None.

7. New Business – None.

8. Comments and Questions –

- a. **Gricel Mursuli, 750 SW 133 Terrace, Pembroke Pines, Florida, asked the Mayor and Council to consider naming 79 Street from West 8th Avenue to 12 Avenue after her son, Danny Perez, who was killed three years ago. Mayor Hernandez and Councilwoman Casals-Muñoz expressed their support.**

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in by the Acting City Clerk in English and by Maricarmen López in Spanish.

ZONING

PZ 1. Second reading and public hearing of proposed ordinance rezoning from C-2 (Liberal Retail Commercial) to P (Parking District) and granting a Variance Permit to allow 32 parking spaces, where 36 are required, to allow a front setback of 20.8 feet, where 25 feet are required, and to allow a corner side setback of 7 feet, where 15 feet are required, contra to Hialeah Code §§98-589, 98-590 and 98-2189(19)b., on property zoned R-3 (Multiple-Family District). **Property is composed of contiguous vacant lots located at 601 East Okeechobee Road, 610 Park Drive and vacant lot located on the northeast corner of the intersection of Southeast 6 Avenue and Okeechobee Road, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: LeJeune Airport Park Suite Inc.*) **APPROVED (7-0) ORDINANCE NO. 2014-02**

Motion to Approve Item PZ 1. made by Council Vice President Gonzalez, and seconded by Councilman Caragol. MOTION PASSED (7-0).

PZ 2. Second reading and public hearing of proposed ordinance granting a Variance Permit to allow no front setback, where 10 feet are required, for a distance of 115.84 feet to accommodate the building façade to the north, to allow a rear setback of 4 feet, where 15 feet are required, for the first three levels only and to accommodate the garage access ramps, to allow a street side setback of 2.66 feet, where 10 feet are required, to accommodate a portion of the retail space at the southwest corner, contra to Hialeah Code §§ 98-1630.3 (e)(1) and 98-1630.3(e)(2). **Property located at 2701 and 2735 East 4 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: JRJ Florida Investments LLC & JRJ 4th Avenue Investments LLC*) **APPROVED (7-0) ORDINANCE NO. 2014-03**

Motion to Approve Item PZ 2. made by Councilman Caragol, and seconded by Councilman Hernandez. MOTION PASSED (7-0).

PZ 3. Second reading and public hearing of proposed ordinance repealing and rescinding Hialeah, Fla., Ordinance 1981-128 (September 22, 1981), and rezoning property from R-1 (One Family Residential District) to R-O (Residential Office District) to allow the development of a Residential Office according to the Site Plan prepared by RWB Linares, Architecture, dated October 11, 2013, on property zoned R-1 (One Family Residential District). **Property located at 355 West 49 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Roberto Sanchez & Maria Rial*) **APPROVED (7-0) ORDINANCE NO. 2014-04**

Motion to Approve Item PZ 3. made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0).

PZ 4. First reading of proposed ordinance repealing and rescinding Hialeah, FLA., Ordinance 2013-43 (June 25, 2013), granting a Variance Permit to allow Pawnbroking of Secondhand Jewelry by a Retail Jewelry Store on property zoned CR (Commercial-Residential District) and located in the extended Hialeah Downtown Urban Center District, contra to Hialeah Code §98-1111(21) as referenced in Hialeah Code §98-891. **Property located at 1765-**

1795 East 4 Avenue, Hialeah, Florida. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED (7-0). The next hearing is scheduled for January 28, 2014.**

Motion to Approve Item PZ 4. made by Councilwoman Cue-Fuente, and seconded by Council Vice President Gonzalez. MOTION PASSED (7-0).

PZ 5. First reading of proposed ordinance granting a Conditional Use Permit (CUP) to allow a House of Worship pursuant to Hialeah Code §98-181(2)f and granting a Variance Permit to allow 40 parking spaces, where 60 spaces are required, contra to Hialeah Code §98-2189(17) on property zoned C-3 (Extended Liberal Commercial District). **Property located at 1475 West Okeechobee Road, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Manuel Lopez & Georgina Lopez*) **APPROVED (7-0). The next hearing is scheduled for January 28, 2014.**

Motion to Approve Item PZ 5. made by Councilwoman Cue-Fuente, and seconded by Council Vice President Gonzalez. MOTION PASSED (7-0).

PZ 6. First reading of proposed ordinance approving a Final Plat of Palm West, accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property located at 8275 West 12 Avenue, Hialeah, Florida.** (*Applicant: Pacifica Apartment Holdings, LLC*) **APPROVED (7-0). The next hearing is scheduled for January 28, 2014.**

Motion to Approve Item PZ 6. made by Councilwoman Lozano, and seconded by Councilman Caragol. MOTION PASSED (7-0).

NEXT CITY COUNCIL MEETING: January 28, 2014 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: February 25, 2014 at 6:30 p.m.

Meeting was adjourned at 8:31 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).